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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/673,360	SAI ET AL.	
	Examiner	Art Unit	
	HILINA S. KASSA	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-6 and 8-14* is/are pending in the application.

4a) Of the above claim(s) *15,24 and 25* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4-6 and 8-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/12/07 and 03/07/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 4-6, 8-9 and 11-14 drawn to a printing apparatus, classified in class 358, subclass 444.

II. Claim 15, drawn to a printing apparatus wherein printing is made by storing instructions, classified in class 358, subclass 1.13.

III. Claims 24-25, drawn to a printing apparatus wherein printing is performed by error indication, classified in class 358, subclass 1.15.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and (II, III) are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination (II, III) as claimed because the specification in the subcombination (II) claim 15 recites for example, a printing apparatus said N pieces of the images are printed according to said first print mode regardless of the print mode corresponding to a second said instruction received for a

second time and thereafter, is particular which is not required in the combination (I) claims 1 and 11 for patentability, and the subcombination (II) has separate utility such as a printing apparatus said N pieces of the images are printed according to said first print mode regardless of the print mode corresponding to a second said instruction received for a second time and thereafter; the details in the subcombination (III) claim 24 recites for example, a printing apparatus wherein a first print mode, among said print modes, corresponding to a first said instruction received for a first time among N times of said instruction received for a first time among N times of said instruction is stored and if the print mode corresponding to a second said instruction received for a second time and thereafter is different from said first print mode, then said second instruction is nullified, is particular which is not required in the combination (I) claims 1 and 11 for patentability, and the subcombination (III) has separate utility such as a printing apparatus wherein a first print mode, among said print modes, corresponding to a first said instruction received for a first time among N times of said instruction received for a first time among N times of said instruction is stored and if the print mode corresponding to a second said instruction received for a second time and thereafter is different from said first print mode, then said second instruction is nullified.

The examiner has required restriction between combination and subcombination inventions. Where applicant elects a subcombination, and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if

any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

3. Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination III has separate utility such as a printing apparatus wherein a first print mode, among said print modes, corresponding to a first said instruction received for a first time among N times of said instruction received for a first time among N times of said instruction is stored and if the print mode corresponding to a second said instruction received for a second time and thereafter is different from said first print mode, then said second instruction is nullified. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to

provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

4. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

a. The inventions have acquired a separate status in the art in view of their different classification;

b. The inventions have acquired a separate status in the art due to their recognized divergent subject matter;

c. The inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);

d. The prior art applicable to one invention would not likely be applicable to another invention;

e. The inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of an invention to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

5. Newly submitted claims 24-25 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Claim 1 recites the printing apparatus that was disclosed in claim 23 in the original set of claims.

Claim 11 recites the printing apparatus that was disclosed in claim 1 in the original set of claims.

However, claim 15 and 24 discloses different embodiment of the invention.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 15 and 24-25 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Information Disclosure Statement

6. The IDS submitted on 12/12/2007 and 03/07/2008 have been acknowledged.

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

8. Claim 10 is objected to because of the following informalities:

In claim 10, line 1, **"a print apparatus according to claim 3"** is inappropriate as it depends on cancelled claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 4-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. With respect to claim 4, it recites "if printing has started before the N times of the reading operations have finished and *a print region*" in lines 4-5. It is unclear if printing has started in a print region? "in *a first said image* that has been read and *a print region*, on said medium" in line 5-6. It is unclear if a first said image is implied to the image that is read for the first time or if it is the first image read? Also, does a print region imply the stated first print region or another print region? "in *a second said image* that has not been yet read are both within *a print region* corresponding to *a single said scan movement*," lines 6-8. It is unclear if a second said image implies to the second image that is about to be read? Also, is a print region the same print region or different than the first image? "then said single scan movement is put on hold" line 9. It is unclear if the scan movement is put on hold if printing has started before the N times of the reading operation? Clarification is respectfully requested.

12. With respect to claim 5, it recites "when *said second image is read* while said single *scan movement is being put on hold*," It is unclear if how reading could be made if the scan movement is being on hold? "said single scan movement put on hold is executed for printing said first image and said second image". It is unclear how the scan movement is executed for printing? Clarification is respectfully requested.

13. With respect to claim 6, "if the printing apparatus receives an instruction to *cancel the reading operation* of said second image *while said single scan movement is being*

put on hold," It is unclear how the reading operation is performed while the scan movement is on hold? "then said single *scan movement put on hold* is executed for *printing* said first image". It is unclear how printing is executed while the scan movement is on hold? Clarification is respectfully requested.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claims 1 and 8 -10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US Patent Number 5,465,463) in view of Fresk et al. (US Patent Number 6,618,161 B1).

(1) regarding claim 1:

As shown in figures 1 and 2, Yoshihara et al. disclose a printing apparatus (**copier apparatus, figure 2; column 3, lines 58-59; note that a copier apparatus is considered as the printing apparatus as it discloses an image output unit**) comprising:

a scanner unit (**24, figure 3**) for reading an original image (**column 4, lines 20-24; note that the image reading unit comprises a scanner unit which reads an image original 23 figure 3**);

an instruction unit (**s2, figure 5**) for receiving an instruction from a user (**column 5, lines 40-43; note that the instruction unit is considered as the key that get depressed by the operator when image needs to be read**),

wherein a single instruction input through said instruction unit is for instruction said scanner unit to perform a reading operation of a single piece of said image (**s3 reading image, figure 5; column 5, lines 40-44; note that amongst divided original image a single image gets read according to an instruction from the operator and the read image gets stored in bit-map memory**); and

a printer unit (**s11-s12, figure 5**) for printing said image that has been read on a medium (**column 6, lines 25-31; note that according to operator's instruction, the read image that has been stored in the bit-map memory gets outputted or copied onto the recording paper**),

wherein, when the reading operations are to be performed N times based on the instructions (**s1, s5, figure 5; column 5, lines 35-48; note that one image is divided into four images and those images get read up to four times. Also, in line 62-67, the invention sis also applied to N reading operations**) and N pieces of the images that have been read are to be printed on a single piece of said medium in respective predetermined positions (**column 6, lines 9-31; note that parts of the image i.e. the four images get synthesized image and outputted into a recording medium**)

Yoshihara et al. disclose all of the subject matter as described as above except for specifically teaching said printer unit starts printing, on said medium, the image that has been read before said scanner unit finishes the N times of the reading operations.

However, Fresk et al. disclose said printer unit starts printing (**2, figure 1**), on said medium, the image that has been read before said scanner unit finishes the N times of the reading operations (**column 6, lines 3-8; note that the printer begins to print and output a first copy of the print job before the last image of the print job is scanned**).

Yoshihara et al. and Fresk et al. are combinable because they are from the same field of endeavor which is network printing and image processing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a printer start to print before the scanner unit finishes reading the N times of the reading operations. The suggestion/motivation for doing so would have been to enhance the speed of the apparatus (column 1, lines 32-36). Therefore, it would have been obvious to combine Yoshihara et al. with Fresk et al. to obtain the invention as specified in claim 1.

(2) regarding claim 8:

Yoshihara et al. further disclose a printing apparatus according to claim 1, wherein:

said printing apparatus allows the number of said images that are to be printed on a single piece of said medium to be changed (**column 8, lines 51-62; note that the images that are read are outputted on a recording paper**); and

printing is started after a predetermined number of times of said reading operations have been executed (**column 8, lines 24-29; note that all original images**

are read before printing is executed), said predetermined number of times being set according to the number to images to be printed on said single piece of medium (**column 8, lines 47-62; note that the images read are organized sequentially and a print medium A1 is selected to output the images**).

(3) regarding claim 9:

Yoshihara et al. further disclose a printing apparatus according to claim 1, wherein:

said printer unit performs printing by repeating scan movement of a head with respect to said medium (**column 20, lines 36-40; note that subsequent scanning is performed by the printer unit**) and carrying of said medium in a direction orthogonal to a direction of said scan movement (**column 16, lines 39-50; note that the scanning is made perpendicular to the plan of the recording paper**); and

if a print region, on said medium, in a first said image that is read in a first time among said N times and a print region, on said medium (**column 11, lines 40-47; note that N number of operations are read and printed**), in a second said image that is to be read in a second or subsequent time, are both within a print region corresponding to at least a first said scan movement (**column 11, lines 49-62; note that the first image is read and stored in memory**), then printing is started after said reading operation of said image (**column 12, lines 36-40; note that the images that haven been read and adjusted are outputted to the printer**).

(4) regarding claim 10:

Yoshihara et al. further disclose a printing apparatus according to claim 3 wherein:

while said scanner unit is performing said reading operation (**column 4, lines 20-24; note that the image reading unit comprises a scanner unit which reads an image original 23 figure 3**), said printer unit starts printing the image in the original that is being read by that reading operation (**column 6, lines 25-31; note that according to operator's instruction, the read image that has been stored in the bit-map memory gets outputted or copied onto the recording paper**).

16. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US Patent Number 5,465,463) and Fresk et al. (US Patent Number 6,618,161 B1) as applied in claim 1 and further in view of Okada (US Patent Number 6,711,626 B1).

(1) regarding claim 4:

Yoshihara et al. further disclose a printing apparatus according to claim 1, wherein: said printer unit performs printing by repeating scan movement of a head with respect to said medium (**column 20, lines 36-40; note that subsequent scanning is performed by the printer unit**) and carrying of said medium in a direction orthogonal to a direction of said scan movement (**column 16, lines 39-50; note that the scanning is made perpendicular to the plan of the recording paper**); and

if printing has started before the N times of the reading operations have finished and a print region, on said medium (**column 11, lines 40-47; note that N number of operations are read and printed**), in a first said image that has been read and a print region, on said medium (**column 11, lines 49-62; note that the first image is read and stored in memory**), in a second said image that has not been yet read are both within a print region corresponding to a single said scan movement (**column 11, lines 63-65; note that before reading the second image the scanner is moved and perform the same as the first image**).

Yoshihara et al. and Fresk et al. disclose all of the subject matter as described as above except for specifically teaching said single scan movement is put on hold.

However, Okada discloses said single scan movement is put on hold (**column 11, line 63-column 12, line 5; note that the scanning movement could be put on hold or standby state**).

Yoshihara et al., Fresk et al. and Okada are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have single scan movement on hold. The suggestion/motivation for doing so would have been in order to efficiently control the performance of the printing apparatus (column 1, lines 55-60). Therefore, it would have been obvious to combine Yoshihara et al., Fresk et al. with Okada to obtain the invention as specified in claim 4.

(2) regarding claim 5:

Yoshihara et al. disclose second image is read (column 11, line 66-column 12, line 12; note that the second image gets read) and printing is executed for said first image and said second image (column 12, lines 15-19; note that address is assigned for the first and second images and in lines 36-40, the printer outputs the images).

Yoshihara et al. and Fresk et al. all of the subject matter as described as above except for specifically teaching when said second image is read while said single scan movement is being put on hold, said single scan movement put on hold is executed for printing said first image and said second image.

However, Okada discloses when said second image is read while said single scan movement is being put on hold (**column 11, line 63-column 12, line 5; note that the scanning movement could be put on hold or standby state**),said single scan movement put on hold is executed for printing said first image and said second image (**column 12, lines 15-20; note that the printer performs copying**).

Yoshihara et al., Fresk et al. and Okada are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art when said second image is read while said single scan movement is being put on hold, said single scan movement put on hold is executed for printing said first image and said second image. The suggestion/motivation for doing so would have been in order to efficiently control the performance of the printing apparatus (column 1, lines 55-60). Therefore, it would have been obvious to combine Yoshihara et al., Fresk et al. with Okada to obtain the invention as specified in claim 5.

17. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US Patent Number 5,465,463) and Fresk et al. (US Patent Number 6,618,161 B1) and Okada (US Patent Number 6,711,626 B1) as applied in claim 4 above, and further in view of Miyake et al. (US Patent Number 4,872,035).

(1) regarding claim 6:

Yoshihara et al., Fresk et al. and Okada disclose all of the subject matter as described as above except for specifically teaching if the printing apparatus receives an instruction to cancel the reading operation of said second image while said single scan movement is being put on hold, then said single scan movement put on hold is executed for printing said first image.

However, Miyake et al. teaches an image forming apparatus if the printing apparatus receives an instruction to cancel the reading operation of said second image (**52, figure 5-3; column 5, lines 30-32**), while said single scan movement is being put on hold, then said single scan movement put on hold is executed for printing said first image (**column 5, lines 30-35; note that even if the stop key is pressed, the copier resumes printing after processing the cycle which already been scanned is executed**).

Yoshihara et al., Fresk et al. and Okada and Miyake et al. are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art if the

printing apparatus receives an instruction to cancel the reading operation of said second image while said single scan movement is being put on hold, then said single scan movement put on hold is executed for printing said first image. The suggestion/motivation for doing so would have been for advance reliability. Therefore, it would have been obvious to combine Fresk et al. and Kamano et al. with Miyake et al. to obtain the invention as specified in claim 6.

18. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US Patent Number 5,465,463) in view of Fujii (Japanese Publication Number 2002-247382).

(1) regarding claim 11:

As shown in figures 1 and 2, Yoshihara et al. disclose a printing apparatus (**copier apparatus, figure 2; column 3, lines 58-59; note that a copier apparatus is considered as the printing apparatus as it discloses an image output unit**) comprising:

a scanner unit (**24, figure 3**) for reading an original image (**column 4, lines 20-24; note that the image reading unit comprises a scanner unit which reads an image original 23 figure 3**);

an instruction unit (**s2, figure 5**) for receiving an instruction from a user (**column 5, lines 40-43; note that the instruction unit is considered as the key that get depressed by the operator when image needs to be read**), *and*

wherein a single instruction input through said instruction unit is for instruction said scanner unit to perform a reading operation of a single piece of said image (**s3 reading image, figure 5; column 5, lines 40-44; note that amongst divided original image a single image gets read according to an instruction from the operator and the read image gets stored in bit-map memory**); and

a printer unit (**s11-s12, figure 5**) for printing said image that has been read on a medium (**column 6, lines 25-31; note that according to operator's instruction, the read image that has been stored in the bit-map memory gets outputted or copied onto the recording paper**),

wherein, when the reading operations are to be performed N times based on the instructions (**s1, s5, figure 5; column 5, lines 35-48; note that one image is divided into four images and those images get read up to four times. Also, in line 62-67, the invention sis also applied to N reading operations**) and N pieces of the images that have been read are to be printed on a single piece of said medium in respective predetermined positions (**column 6, lines 9-31; note that parts of the image i.e. the four images get synthesized image and outputted into a recording medium**).

Yoshihara et al. disclose all of the subject matter as described as above except for specifically teaching wherein each said instruction corresponds to one of a plurality of print modes; and said printer unit prints, on said single piece of medium, N pieces of the images according to respective corresponding said print modes.

However, Fujii discloses wherein each said instruction corresponds to one of a plurality of print modes (**paragraph [0004], lines 3-6; note that user sets the color or**

monochrome mode); and said printer unit prints, on said single piece of medium, N pieces of the images according to respective corresponding said print modes (**paragraph [0006], lines 2-6; note that the printing means processes the different modes**).

Yoshihara et al. and Fujii are combinable because they are from the same filed of endeavor, which is printing apparatus. At the time of the invention, it would have been obvious to a person of ordinary skill in the art wherein each said instruction corresponds to one of a plurality of print modes; and said printer unit prints, on said single piece of medium, N pieces of the images according to respective corresponding said print modes. The suggestion/motivation for doing so would have been in order to utilize efficient and versatile apparatus. Therefore, it would have been obvious to combine Fresk et al. with Fujii to obtain the invention as specified in claim 11.

(2) regarding claim 12:

Yoshihara et al. discloses all of the subject matter as described as above except for teaching wherein: wherein: said plurality of print modes include a monochrome print mode and a color print mode.

However, Fujii discloses wherein: said plurality of print modes include a monochrome print mode and a color print mode (**paragraph [0010], lines 1-8; note that the color or monochrome copy is utilized**).

Yoshihara et al. and Fujii are combinable because they are from the same filed of endeavor which is printing apparatus. At the time of the invention, it would have been

obvious to a person of ordinary skill in the art to have monochrome and color print mode. The suggestion/motivation for doing so would have been in order to utilize efficient and versatile apparatus. Therefore, it would have been obvious to combine Yoshihara et al. with Fujii to obtain the invention as specified in claim 12.

19. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US Patent Number 5,465,463) and Fujii (Japanese Publication Number 2002-247382) as applied in claim 11, and further in view of Fresk et al. (US Patent Number 6,618,161 B1).

(1) regarding claim 13:

Yoshihara et al. and Fujii disclose all of the subject matter as described as above except for teaching wherein: said plurality of print modes include a low-resolution print mode a high-resolution print mode.

However, Fresk et al. disclose said plurality of print modes include a low-resolution print mode a high-resolution print mode (**column 4, lines 1-6; note that the copier is a multi-resolution capable engine**).

Yoshihara et al., Fujii and Fresk et al. are combinable because they are from the same filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have quality modes that differ in print resolution. The suggestion/motivation for doing so would have been in order to acquire better quality

and versatility. Therefore, it would have been obvious to combine Yoshihara et al. and Fujii with Fresk et al. to obtain the invention as specified in claim 13.

(2) regarding claim 14:

Yoshihara et al. and Fujii disclose all of the subject matter as described as above except for teaching wherein said instruction unit has instruction buttons corresponding respectively to said plurality of print modes.

However, Fresk et al. disclose wherein said instruction unit has instruction buttons corresponding respectively to said plurality of print modes (**column 8, lines 59-61; note that user utilizes buttons to make selection**).

Yoshihara et al., Fujii and Fresk et al. are combinable because they are from the same filed of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art wherein said instruction unit has instruction buttons corresponding respectively to said plurality of print modes. The suggestion/motivation for doing so would have been in order to easily access desired selection. Therefore, it would have been obvious to combine Yoshihara et al. and Fujii with Fresk et al. to obtain the invention as specified in claim 14.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see http://pari-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/

Examiner, Art Unit 2625

March 11, 2008

/Gabriel I Garcia/

Acting SPE of Art Unit 2625